

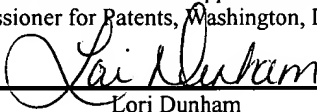


IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Christopher T. Boyle Attorney Docket: 6006-018
Serial No.: 09/716,146 Examiner: C. Miller
Filed: 11/17/2000 Art Unit: 3738
Title: DEVICE FOR IN VIVO DELIVERY OF BIOACTIVE AGENTS AND
METHOD OF MANUFACTURE THEREOF

Certificate of First Class Mailing

I certify that this document (along with any documents referenced as being included herewith) is being deposited on this the 7th day of October, 2004, with the United States Postal Service as First Class Mail, postage prepaid, addressed to: Board of Patent Appeals and Interferences, Assistant Commissioner for Patents, Washington, D.C. 20231.


Lori Dunham

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**NOTICE OF APPEAL TO
BOARD OF PATENT APPEALS AND INTERFERENCES**

Dear Sir:

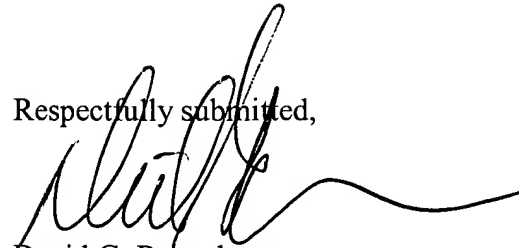
Applicant hereby appeals the Examiner's decision in the Final Office Action mailed July 16, 2004. The status of the claims is as follows:

Claims pending: 16, 20, 26-28
Claims finally rejected: 16, 20, 26-28

The Commissioner is hereby authorized to charge the fee of \$330.00 pursuant to 37 CFR §17(b) for an entity other than a small entity to Deposit Account 18-2000. A

duplicate copy of this Paper is being filed. A Notice of Change of Small Entity Status is being filed concurrently herewith.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David G. Rosenbaum', with a long horizontal flourish extending to the right.

David G. Rosenbaum
Reg. No. 31,872

October 7, 2004

Customer No. 29,335

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